

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, April 7, 2003 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. Fiore, Chairman, called the meeting to order at 7:03 pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0379 in the amount of \$255,042.36 and #0382 in the amount of \$1,042,950.63.
2. Approve Minutes of March 10, 2003 and March 27, 2003. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Morgado advised that street sweeping has begun. It will be a slow process this year due to the accumulation of sand on the roadways necessitated by the severity of the past winter but every street will be done as quickly as possible.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

5. 7:00pm – Chief LaFlamme and Captain Vuona. Chief LaFlamme and Capt. Vuona were present. The Chief introduced the new captain to the Board advising them that he is extremely qualified for the position. He is also returning to college to complete his degree in fire management. The Board and Mr. Morgado congratulated Capt. Vuona and wished him well in his new position. Capt. Vuona thanked the Board and the manager and said he is looking forward to this opportunity to serve the town in his new position.

Public Hearings:

6. 7:15pm – PJM Pizza, Inc. d/b/a Domino's Pizza, 246 Boston Turnpike, Pamela Majeau, owner. Change of location for Common Victualler's License. Ms. Majeau was present and advised the Board that she would like to move her business from 246A Boston Turnpike to 246 Boston Turnpike, as there is more visibility at this location. No other changes to the business operation are planned other than the move. Mr. Fiore advised that all reports from department heads and the Disabilities Commission were favorable. Mr. Card asked Ms. Majeau to speak to her delivery people about lowering their speeds when traveling on side streets. Mr. Fiore opened the hearing to the public and as there was no public comment a motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of PJM Pizza, Inc. d/b/a Domino's Pizza to move from their present location at 246A Boston Turnpike to 246 Boston Turnpike. Motion was seconded and unanimously voted.
7. 7:30pm – NationsRent USA, 800 Hartford Turnpike, William Stewart, Vice President. Class I & Commercial Garage. Richard Ricker, attorney representing NationsRent, and David Waski, facility branch manager, were present. Mr. Fiore said that no concerns had been raised by department heads and that a copy of the Disabilities Commission's recommendations would be given to Mr. Ricker. Atty. Ricker reviewed the history of the company and their plans for future operations. Sales and rentals of construction equipment is the business of this company which is an appropriate use of this site. The Class I license is needed for this type of operation. Mr. DePalo said that he would like to see the Class I license limited to the sale of vehicles over 14,000 GVW. Mr. Fiore opened the hearing to the public. Questions were asked by Christopher Kirk. After a discussion, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of NationsRent USA, 800 Hartford Turnpike for a Class I & Commercial Garage License subject to ZBA restrictions of 7/7/99, no vehicle under 14,000 GVW to be sold, garage activities limited to maintenance of own equipment and hours of operation Monday-Friday 7:00am-6:00pm, Saturday 7:00am-12:00 noon. Motion was seconded and unanimously voted.

Old Business:

8. Speed Limit – So. Quinsigamond Ave. (SQA). Mr. Morgado said that this matter had been pending for some time. The Board had approved the increased speed limit several months ago but the Engineering Dept. had discovered during the course of the necessary speed study that the actual speed limit should be 35 mph rather than the 30 mph voted by the Board. Does the Board wish to proceed and send this to the Commonwealth of Massachusetts knowing that this is a possibility. The Board discussed the various options available. One option would be to post the area as thickly settled and leave the speed limits as they are at present. Another would be to post a 30 mph but this would not be enforceable and the last would be to proceed and send the proposal to the state. The Board decided to wait until Mr. Morgado has the opportunity to speak to Chief Sampson on the matter before making a decision.
9. Chief Sampson's report re Stop Sign Request – Dartmoor Drive & Heatherwood Drive. Chief Sampson reports that two studies have been done on this area and it does not qualify for a stop sign under the guidelines of the Uniform Traffic Manual. However, even though it does not meet the standard for stop signs the Chief recommended installation of signage for Intersection Ahead in each direction prior to the intersection. Motion was made, seconded and unanimously voted to recommend installation of Intersection Ahead signage at this location and to respond to resident.

New Business:

10. New License fees. Mr. Lebeaux reported that he and Mr. DePalo had looked at the amount being charged for application fees and found that the \$75.00 amount currently being charged did not meet the costs of processing. The fee should cover the costs of advertising, certified mailings to abutters and in the case of alcohol applications, mailings to the ABCC. With the increases in advertising and postage, the amount collected does not always cover these costs. Taxpayers should not be subsidizing the applications of those seeking licenses. He recommended that the fee for license applications be increased from \$75.00 to \$100.00 effective immediately. Mr. DePalo added that if changes are made on the state level regarding fees charged, this matter would be revisited. Motion was made to raise the license application fee for alcohol, common victualler, entertainment, amusement, auctioneer, livery/taxi, junk dealer, antique dealer and palm/card reader from \$75.00 to \$100.00. Motion was seconded and unanimously approved. Motion was made to raise the application fee for class I, II & III car dealers and commercial garages from \$75.00 to \$100.00. Motion was seconded and voted four in favor with Mr. Fiore abstaining due to possible conflict of interest.
11. Policy 9 Revisions. Mr. Fiore recused himself citing possible conflict of interest and Mr. DePalo assumed the chair. The Board discussed possible changes to Policy 9; taking into consideration the zoning changes, possible economic benefits, licenses that are only an ancillary part of a business and maintaining control of number of licenses in town. Mr. Card reminded the Board that the reason for this policy in the first place was the number of complaints from residents of used car dealerships in town. After a discussion, Mr. DePalo asked Mr. Hammond and Mr. Card to work on plan for amending the policy and report back to the Board on April 28th. Selectmen should forward any thoughts on the subject to them.
12. Board to sign bonds for Treasurer and Collector. Motion was made to sign the bonds to set statutory limits for Treasurer and for Collector. Motion was seconded and unanimously voted.
13. Notification from CMRPC re impending reorganization and restructuring of Central Mass. Metropolitan Planning Organization. Mr. Morgado explained that the purpose of this reorganization is to get more people involved with TIP decisions. Highway Supt. John Knipe is currently a member and has always played an active role for the town. Board decided to take no action.
14. Zoning Board of Appeals appointments. Mr. Fiore advised that there are two full ZBA memberships and three associate memberships up for reappointment. Of the two full memberships, Ronald Rosen has expressed interest in reappointment but Martha Deering has not. Of the three associate memberships, Bridget Murphy has expressed interest in reappointment or appointment to a full membership but Jon Revelli and Joseph Armenti have declined reappointment. Motion was made to reappoint Ronald Rosen as a full member of the Zoning Board of Appeals for a two year term to expire March 31, 2005. Motion was seconded and unanimously approved. Motion was made to appoint Bridget Murphy as a full member of the Zoning Board of Appeals for a two year term expiring March 31, 2005. Motion was seconded and unanimously approved. Two letters expressing interest in appointment as associate members have been received. Appointment of the three associate members was postponed until the April 28th meeting so that others interested could contact the Board by sending a letter to the office by Friday, April 25, 2003.
15. Approve renewal of Commercial Garage Licenses to expire 4/30/03. Mr. Fiore recused himself from the vote citing possible conflict of interest and Mr. DePalo assumed the chair. Motion was made to approve

renewal of Commercial Garages pending filing of application and receipt of appropriate fee. Motion was seconded and voted four in favor with one abstention.

Executive Session:

16. Pending litigation & collective bargaining. Mr. Morgado advised an executive session would not be needed.

Communications:

17. Noted copy mailed: Letter from Ronald Rosen expressing interest in reappointment to the ZBA.
18. Noted copy mailed: Letter from Clifford Jefferson, Chairman Shrewsbury Light Commission, sent to Shrewsbury Chronicle in response to a recently published opinion letter.
19. Noted copy mailed: MMA Legislative Bulletin, 3/7/03.
20. Noted copy mailed: Letter from Mass. Selectmen's Assoc. re MMA Regional Update Meetings
21. Noted copy mailed: Letter from Rep Polito to CMRPC re 2004-2007 TIP Document
22. Noted copy mailed: Letter from Jon Revelli asking not to be reappointed as an Associate Member of the Zoning Board of Appeals.
23. Noted copy mailed Letter from Patricia Keeton expressing interest in reappointment to the Registrar of Voters and reappointment for a term of three years expiring March 31, 2006. Motion was made, seconded and unanimously voted to approve Patricia Keeton's reappointment to the Registrar of Voters for a three year term expiring March 31, 2006.
24. Noted copy mailed: Notice from Energy Facilities Siting Board re Rescheduled Public Hearing
25. Noted copy mailed: School Committee Meeting Minutes, 2/12/03.
26. Noted copy mailed: Dept. of Revenue - Room Occupancy Revenue Report for 351 Cities & Towns.
27. Noted copy mailed: Notice from CMRPC re Public Meeting, 2003 Update to the Regional Transportation (RTP), Northeast Subregion.
28. Noted copy mailed: Letter from Howard Fease, re Record Request.
29. Noted copy mailed: City & Town, Vol. 16, No. 3 - March 2003.
30. Noted copy mailed: Memo from Mr. Morgado re MBTA Assessment. Assessment has increased based on population and is paid in the third quarter of the fiscal year.
31. Noted copy mailed: School Committee Agendas, 3/19/03, 4/2/03.
32. Noted copy mailed: Letters from Mass Highway re: Grafton Street (Route 140) Reconstruction.
33. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, John Scirpoli, 30 Commonwealth Avenue.
34. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, Paul McNamara, 900 Boston Turnpike.
35. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, John Grenier, J.M.Grenier Assoc., 41 Surrey Lane.
36. Noted copy mailed: E-mail from Stephen Dixon, 15 Rosedale Avenue, re Motorcycle Noise.
37. Noted copy mailed: Letter from David L'Ecuier expressing interest in appointment to the ZBA or Planning Board.
38. Noted copy mailed: Letter from Robert Borgatti expressing interest in the purchase of land located on the corner of Fruit Street and Route 9. Mr. Morgado will contact Mr. Borgatti. Mr. Hammond asked for a list of similar parcels in town.
39. Noted copy mailed: Notice from Rep. Walrath, Chair, House Task Force on Local Government, re public hearing on ability of municipalities & school districts to meet local needs in FY04.
40. Noted copy mailed: Letter from Michael Hale expressing interest in reappointment to the Industrial Development Financing Authority and reappointment for a term of three years expiring March 31, 2006. Motion was made seconded and unanimously voted to reappoint Michael Hale to the Industrial Financing Authority for a three year term expiring on March 31, 2006.
41. Noted copy mailed: Copy mailed: Notice of Central Mass. Regional Caucus of Legislators Economic Summit.
42. Noted copy mailed: Memo from Highway Supt. Knipe re Estimated Storm Cost, March 13, 2003.
43. Noted copy mailed: Letter from Supt. Knipe to Verizon re sidewalks on South Quinsigamond Ave. Mr. Hammond asked who should be contacted re damage to the median. Mr. Morgado advised that the Highway Dept. should be contacted.
44. Noted copy mailed: Notice from Parks & Recreation Director, Angela Snell, re public meeting on Lake Street Recreation Area options. A public hearing will be held on Thursday, April 16th at 7:00pm in the Selectmen's Meeting Room on this matter.

45. Noted copy mailed: Westborough Treatment Plan Board Meeting Minutes, 2/12/03.
46. Noted copy mailed: USFilter Monthly Compliance Report, February 2003.
47. Noted copy mailed: Notice from U.S. Conference of Mayors re 71st Annual Conference.
48. Noted copy mailed: Memo from Zoning Reform Working Group re Mass. Land Use Reform Act. Forward to Planning Board to see if they wish to pursue.
49. Noted copy mailed: ZBA Agenda, 4/9/03
50. Noted copy mailed: Shrewsbury Conservation Commission Meeting Minutes, 1/21/03
51. Noted copy mailed: E-mail from Jay & Helen Hummer, One Partridge Hill Road, re Partridge Hill Road and Mr. Fiore's reply.
52. Noted copy mailed: Mr. Morgado's responses to inquiries from Howard Fease.
53. Noted copy mailed: Letter from Bridget Murphy expressing interest in appointment to the Planning Board or reappointment to ZBA.
54. Noted copy mailed Memo from MBTA re Next Board Meeting and related materials.
55. Noted copy mailed: MMA Action Alert #4, 3/21/03.
56. Noted copy mailed: Letters to Mr. Morgado & Finance Committee Chairman DeWolfe from Library Board of Trustees Chairman Strom re use of Library Trust Funds and Mr. Morgado's response. This item will appear as a capital budget item on the Annual Town Meeting Warrant.
57. Noted copy mailed: E-mail from Reginald Steele re Police Investigation.
58. Noted copy mailed: E-mail from David Easterbrook, 1 Trowbridge Lane, re Stop Signs. Forward to Chief Sampson for recommendation and report.
59. Noted copy mailed: Letter from Audriana Johnson, McGlynn Middle School, requesting information on Shrewsbury. Mr. Fiore is putting together materials to be sent to Ms. Johnson.
60. Noted copy mailed: Mass. Dept. of Revenue Bulletin, 2003-08B re New Officials Finance Forum & Informational Guideline Release, 03-207, Municipal Tax Amnesty Program.
61. Noted copy mailed: ZBA Hearing Minutes, 3/5/03, Curves by Bruce Daniel, Esq., 508 Boston Turnpike.
62. Noted copy mailed: ZBA Hearing Minutes, 3/5/03, Kevin & Tara Lynch and Linda Bilodeau, 80 Main Circle.
63. Noted copy mailed: ZBA Hearing Minutes, 3/5/03, Michael & Carolyn Brennan, 18 Ivy Path
64. Noted copy mailed: ZBA Hearing Minutes, 3/5/03, James & Marie McCrohan, 33 Hunting Avenue.
65. Noted copy mailed: ZBA Hearing Minutes, 3/5/03, Stephen & Marianne Davis, 44 Lamplighter Drive.
66. Noted copy mailed: Letter from Alfred Confalone, expressing interest in appointment to the ZBA.
67. Noted copy mailed: Response from Martha Deering declining reappointment to the ZBA.
68. Noted copy mailed: Memo from John Knipe re Street Sweeping.
69. Noted copy mailed: Letter from William & Michelle Duke, 36 Westview Ave. and Richard Gibbons, 34 Westview Ave. re property damage and Mr. Morgado's response. Mr. Morgado is putting together a report and will forward it to the Board.
70. Noted copy mailed: Letter from Div. of Fisheries & Wildlife re surplus property in Shrewsbury. Mr. Morgado advised that discussions have been going on with this group. They wish to keep parcel B as open space. The town agrees but would like Shrewsbury to have control of the parcel, not the state. It would insure that this land remains as open space if the town has control. The Board agreed with this action.
71. Noted copy mailed: Letter to Governor and Chief of Commonwealth Development re Assabet River Consortium.
72. Noted copy mailed: Notice from Worcester Research Bureau re panel - *Can We Solve the Housing Crisis in Massachusetts?*
73. Noted copy mailed: Letter from Rep. Polito to Dept. of Environmental Management re 70 Acres, Easterly Side of Lake Street, Shrewsbury.
74. Noted copy mailed: Announcement from Verizon re EdLink Awards program. Forward to School Dept.
75. Noted copy mailed: Letter from Daniel Jones, 28 Hillando Drive, re public pool. The town is not thinking of a public pool at this time. Would be a Parks Dept. project.
76. Noted copy mailed: Letter from ABCC re application documentation requirements.
77. Noted copy mailed: E-mail from Trevor Rhone, Sparkle Cleaning Assoc., re Shrewsbury Schools Cleaning Contract. Mr. Fiore responded by e-mail.
78. Noted copy mailed: Mr. Morgado's response to Thomas Rooney re warrant article for Annual Town Meeting.

79. Noted copy mailed: Notice from Loitherstein Environmental Eng. of Availability of Phase IV-Remedy Implementation Plan for 32 Maple Avenue.
80. Noted copy mailed: Notice from Dept. of Housing & Community Development re Soft Second Loan Program.
81. Noted copy mailed: Notice from Sen. Glodis re amendment to MGL chapter 140.
82. Noted copy mailed: Letter from Gary Sclamo requesting removal of no parking zone on Browne Road. Mr. Fiore will respond. Not in favor of removing the no parking zone at this time.
83. Noted copy mailed: Memo from Mr. Morgado re Chapter 40B & Affordable Housing Summit.

Motion was made, seconded, and unanimously voted to adjourn at 9:12pm.

Respectfully submitted,

Janice C. McCoy
Secretary